

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEONARID DAN,

Defendant.

**8:19-CR-29**

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant, Leonarid Dan's, Motion to Suppress all evidence and statements derived from a stop, arrest, and search of his person on November 15, 2018. [Filing 15](#). On November 25, 2019, an evidentiary hearing was held in front of United States Magistrate Judge Bazis. Filing 27. The Findings and Recommendation, filed on January 13, 2020, recommend that Defendant's Motion to Suppress be denied. [Filing 33](#). The parties were given 14 days from the filing of the Findings and Recommendation to file any objections to the Magistrate Judge's decision. [Filing 33](#). Neither party has filed an objection within the designated time.

Failure to object to a finding of fact in a Magistrate Judge's recommendation may be construed as a waiver of the right to object from the district court's order adopting the recommendation of the finding of fact. NECrimR [59.2\(e\)](#). The Magistrate Judge's order advised the parties that failure to object to the findings and recommendation may be held to be a waiver of any such objection. [Filing 33 at 8](#). After a review of the Court's record in this matter, including the hearing transcript, evidence submitted by the parties, and the Magistrate Judge's well-reasoned order, this Court will adopt the Findings and Recommendation at [Filing 33](#).

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation, [Filing 33](#), are adopted;
2. Defendant, Leonarid Dan's, Motion to Suppress [Filing 15](#) is denied.

Dated this 28th day of January, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher  
United States District Judge